

1
2
3 UNITED STATES DISTRICT COURT
4 EASTERN DISTRICT OF WASHINGTON
5

6 UNITED STATES OF AMERICA, }
 7 Plaintiff, }
 8 vs. }
 9 \$3,700.00 U.S. CURRENCY, }
 10 2007 TOYOTA CAMRY,
 WASHINGTON LICENSE 044 }
 YRJ, VIN: JTNGE46K273069237, }
 11 2003 FORD MUSTANG COBRA,
 WASHINGTON LICENSE 407 }
 YDA, VIN: 1FAFP48Y33F309329, }
 12 2000 CHEVROLET TAHOE,
 WASHINGTON LICENSE 947 }
 SXX, VIN: 1GNEK13T7YJ183485, }
 13 Defendants. }
 14
15

CV-09-5101-LRS

Order of Forfeiture of Substitute
Res

16 Plaintiff, United States of America, alleged in a Verified Complaints for
 17 Forfeiture In Rem that the Defendant property is subject to forfeiture to the United
 18 States pursuant to 21 U.S.C. § 881.

19 The Court has jurisdiction over this matter by virtue of 28 U.S.C. §§ 1345
 20 and 1355. Venue is proper pursuant to 28 U.S.C. § 1395.

21 The defendant property being forfeited is described as follows:

22 1) \$4,500.00 substitute res provided by Nora Soto in lieu of forfeiture
 23 of the Defendant 2007 Toyota Camry; and,

24 2) \$2,000 substitute res provided by Pedro Olvera, Jr., in lieu of
 25 forfeiture of the Defendant 2000 Chevrolet Tahoe.

26 On February 25, 2011, the United States and Claimant Nora Soto, entered
 27 into a Stipulation for Forfeiture of Substitute Res. CR 33. In said stipulation,
 28 Claimant Soto agreed to the forfeiture of \$4,500 substitute res in lieu of forfeiture
 of the Defendant 2007 Toyota Camry. In addition, Claimant Nora Soto consented

1 to the entry of an order of forfeiture of the \$4,500 substitute res to the United
2 States and waived a hearing and notice of presentment. As stipulated, the United
3 States Marshals Service timely received the \$4,500 cashier's check from Claimant
4 Soto and the Defendant 2007 Toyota Camry was returned to Ms. Soto.

5 On March 2, 2011, the United States and Claimant Pedro Olvera, entered
6 into a Stipulation for Forfeiture of Substitute Res. CR 34. In said stipulation,
7 Claimant Olvera agreed to the forfeiture of \$2,000 substitute res in lieu of
8 forfeiture of the Defendant 2007 Toyota Camry. In addition, Claimant Olvera
9 consented to the entry of an order of forfeiture of the \$2,000 substitute res to the
10 United States and waived a hearing and notice of presentment. As stipulated, the
11 United States Marshals Service timely received the \$2,000 cashier's check from
12 Claimant Olvera and the Defendant 2000 Chevrolet Tahoe was returned to Mr.
13 Olvera.

14 The Notice of Complaint was posted on the official government website
15 www.forfeiture.gov as required by Rule G(4)(a)(iv)(C) of the Supplemental Rules
16 for Admiralty or Maritime Claims and Asset Forfeiture Actions, as evidenced by
17 the Notice of Publication filed with the Court on January 20, 2011. CR 29. Rule G
18 of the Supplemental Rules for Certain Admiralty and Maritime Claims, Fed. R.
19 Civ. P., and 18 U.S.C. § 983(a)(4)(A), require that claimants file a claim within
20 sixty (60) days after first date of publication. At the latest this 60-day period
21 expired on April 13, 2010. No claims to the Defendant 2007 Toyota Camry or to
22 the Defendant 2000 Chevrolet Tahoe were filed within this time period.

23 It appearing to the Court that Claimants' interest in the Defendant 2007
24 Toyota Camry or to the Defendant 2000 Chevrolet Tahoe were resolved through
25 the entry of stipulations for forfeiture of substitute res filed herein;

26 It further appearing to the Court that no additional timely claims were made
27 to the Defendant 2007 Toyota Camry or to the Defendant 2000 Chevrolet Tahoe ;
28

1 IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that
2 Plaintiff's Motion for Entry of an Order of Forfeiture of Substitute Res (ECF No.
3 51) is GRANTED and:

- 4 1) \$4,500.00 substitute res provided by Nora Soto in lieu of forfeiture
5 of the Defendant 2007 Toyota Camry; and,
6 2) \$2,000 substitute res provided by Pedro Olvera, Jr., in lieu of
forfeiture of the Defendant 2000 Chevrolet Tahoe.

7 is hereby forfeited to the United States of America, and no right, title, or interest
8 shall exist in any other person.

9 IT IS FURTHER ORDERED that the United States Marshals Service shall
10 dispose of the forfeited substitute res described herein in accordance with law.

11 DATED this 21st day of June, 2011.

12 *s/Lonny R. Suko*
13

14 Lonny R. Suko
United States District Judge

15 Presented by:

16 Michael C. Ormsby
United States Attorney

17 s/James A. Goeke

18 James A. Goeke
Assistant United States Attorney